

VZCZCXRO3079
OO RUEHCI
DE RUEHKT #0408/01 0521240
ZNY CCCCC ZZH
O 211240Z FEB 07
FM AMEMBASSY KATHMANDU
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5044
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 5410
RUEHLM/AMEMBASSY COLOMBO PRIORITY 5712
RUEHKA/AMEMBASSY DHAKA PRIORITY 0904
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 3721
RUEHLO/AMEMBASSY LONDON PRIORITY 5039
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1039
RUEHCI/AMCONSUL KOLKATA PRIORITY 3173
RUEKJCS/SECDEF WASHDC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2439
RHEFDIA/DIA WASHDC PRIORITY
RHMFISS/CDR USPACOM HONOLULU HI PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 000408

SIPDIS

SIPDIS

E.O. 12958: DECL: 02/21/2016

TAGS: [PGOV](#) [KDEM](#) [NP](#)

SUBJECT: NEPAL: ELECTION COMMISSION WAITING IN THE GATES

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

Summary

1. (C) On February 12, Chief Election Commissioner Bhoj Raj Pokharel told the Ambassador and a visiting team from the Bureau of International Narcotics and Law Enforcement (INL) and the Department of Justice (DOJ) that the Home Ministry and Nepal Police were taking care of security for the planned June 2007 Constituent Assembly (CA) election. Pokharel reported that the Election Commission planned to recommend to the Police additional security in areas of the country the EC anticipated would be most volatile. In February 14 meetings with two other Election Commissioners, the Commissioners said that draft election laws would give district EC officials authority over security personnel assigned to polling sites in the lead-up, during, and in the days after the election. Pokharel highlighted the importance of voter education for a successful election, but said voter education was stalled until a political solution was reached on the CA electoral system.

EC Leaving Election Security Planning to Police

2. (C) In a meeting February 12, Chief Election Commissioner Bhoj Raj Pokharel told the Ambassador and the visiting INL/DOJ team that the EC was leaving election security planning to the Home Ministry and Nepal Police. The EC would articulate to security officials which areas of the country they believed may be most volatile during the election. The EC would also continue to meet regularly with the Police and Home Ministry to share logistical information, such as the planned number of polling sites and other information vital to determining security requirements.

Toward An All-Powerful Election Commission

3. (C) In meetings with a visiting INL and DOJ team on February 14, Election Commissioners Usha Nepal and Neel Kantha Uprety said that draft election laws would give district EC officials authority over security personnel responsible for election security. The Commissioners said the legislation would mandate that during the six weeks prior

to the election, on election day, and for thirty-five days after the election, the "Return Officer" (ranking election official in each district) would have supervisory responsibility over security personnel assigned to and around polling sites. Usha Nepal said the Return Officer, not the Chief District Officer (CDO), would issue any orders on use of force. The Commissioners explained that the draft legislation would give the EC these powers, and the EC would delegate this authority to district EC officials. When asked whether the Home Ministry and police were aware of these plans, the Commissioners responded that, as soon as the laws mandating these responsibilities were passed, the details would be communicated to top Home Ministry, Nepal Police, and Armed Police Force (APF) officials.

Concern over Rapid Recruitment of Police

14. (SBU) Pokharel expressed concern regarding plans to recruit 40,000 to 50,000 temporary security personnel for the election, referencing past elections in which the practice was highly politicized. He said using retired officers or Gurkha soldiers might be a more acceptable alternative. Commissioners Nepal and Uprety said that in previous elections, young people were recruited for two to three days, were given no training, and were not held accountable for their actions. Since this would be Nepal's first election without Army assistance, a huge deficit in personnel and logistic capabilities would exist. The Commissioners said they were mobilizing the largest number of staff ever for an election (over 140,000) and described the challenges inherent in training and deploying such large numbers of individuals.

Training Planned

KATHMANDU 00000408 002 OF 003

15. (SBU) The Commissioners said that, once the electoral system and other election laws were passed, they were planning to train police in election-related rules and regulations. They planned to clearly articulate police roles and responsibilities vis-a-vis the elections. Training would begin with security force leadership, and then cascade down through the ranks.

Voter Education Vital, But on Hold

16. (C) Pokharel highlighted the importance of voter education for a successful election process, but said voter education plans were stalled until the government determined the structure of the electoral system. Pokharel described the difficulties in reaching remote areas of Nepal to communicate election-related information. The Commissioners said this was particularly challenging among a population that spoke over 100 different languages; the EC was operating in 16 languages. Pokharel raised the idea of a "train-the-trainer" program that would involve two people per village to assist with voter education. Those chosen would receive training and information on the election and would then communicate to their communities through door-to-door visits and village meetings.

Limited Role in Election Monitoring

17. (C) Pokharel said the Election Commission would have a limited role in election monitoring. The EC would provide badging and initial information to both international and domestic monitors, but would encourage one of the lead organizations in monitoring, such as the Carter Center, to take on a coordination role. Coordination would be important to ensure coverage across the country and for compilation of reporting. Pokharel recalled Nepal's spotty history with domestic monitors, who were often politicized.

Gathering Information from Nepal's Districts

18. (SBU) The Election Commissioners were still awaiting detailed information from CDOs and District Election Commissioners, but estimated there would be 11,500 polling sites and 17,500 polling boxes. The Commissioners had established a standard of one ballot box per 1,000 registered voters. The final numbers would be released once the districts submitted their estimates.

Electoral Laws: 1 Down, 5 to Go

19. (SBU) Election Commissioners Nepal and Uprety said that, while the Voter Registration Law had passed, allowing registration to move forward, five more laws were still needed to move forward with election planning, including: 1) a law on electoral systems, 2) a law on the Election Commission's roles and responsibilities, 3) an Election Offense and Punishment Act, 4) a Party code of conduct, and 5) a Party registration law. The next law of highest priority, the law on the electoral system, was paralyzed, the Commissioners said, until political consensus could be reached on what type of electoral system to use and the Interim Constitution was amended appropriately.

Comment

10. (C) The Election Commission's efforts, in the face of limited funds, ambitious deadlines, a daunting set of responsibilities, and political ambiguity, are inspiring. However, without political consensus between the governing Seven-Party Alliance and the Maoists on an electoral system, the EC is unable to deliver necessary electoral laws and voter education, central to a successful election. It is also disconcerting that the EC is not more heavily involved in planning for election security. The notion of an

KATHMANDU 00000408 003 OF 003

"all-powerful" Election Commission, with polling officer authority over security forces, is intriguing. However, Post discussions with the Police and Home Ministry reveal a lack of knowledge of such a proposal, and it is unclear whether this supervisory responsibility will pass muster in Parliament.

MORIARTY